

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

NIKKI BOLLINGER GRAE, Individually and)	Civil Action No. 3:16-cv-02267
on Behalf of All Others Similarly Situated,)	
Plaintiff,)	Honorable Aleta A. Trauger
vs.)	PLAINTIFF’S MOTION FOR DISCOVERY
CORRECTIONS CORPORATION OF)	SANCTIONS
AMERICA, et al.,)	
Defendants.)	
_____)	

PLEASE TAKE NOTICE that, pursuant to the Court’s September 28, 2020 Order (ECF No. 308), Federal Rule of Civil Procedure 37 and applicable Sixth Circuit authority, Plaintiff¹ on behalf of itself and the Class of investors who purchased CCA securities between February 27, 2012 and August 17, 2016, inclusive, respectfully moves this Court for an order sanctioning Defendants for their improper withholding of relevant documents, by ordering that the jury be instructed that they may (or that they must) infer that the wrongfully withheld documents would have been favorable to Plaintiff and the Class, and by requiring Defendants to bear all fees and costs associated with the *in camera* review of documents by Special Master Faith S. Hochberg (ret.). This Motion is based on the record in this action, the concurrently filed Memorandum of Law in support of the Motion, the Declaration of Christopher M. Wood and exhibits thereto, and such other evidence and argument as

¹ “Plaintiff” is Lead Plaintiff and Class Representative Amalgamated Bank, as Trustee for the LongView Collective Investment Fund. “Defendants” are Corrections Corporation of America (“CCA”) and “Individual Defendants” Damon T. Hininger (“Hininger”), David M. Garfinkle (“Garfinkle”), Todd Mullenger (“Mullenger”) and Harley G. Lappin (“Lappin”). Following the filing of this action, Defendants rebranded CCA and now refer to it as CoreCivic.

the Court may consider.

DATED: October 6, 2020

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CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on October 6, 2020, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Christopher M. Wood

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